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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/781,146	02/17/2004	Jason Victor Tsai	LECR:GUIDE1	6027

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OSTER-LECROY  
Law Office of Karen Dana Oster, LLC  
PMB 506  
16869 SW 65TH AVENUE  
LAKE OSWEGO, OR 97035

EXAMINER
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HOLLINGTON, JERMELE M

ART UNIT	PAPER NUMBER
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2829

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	02/28/2007	PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

# Office Action Summary

Application No.

10/781,146

Applicant(s)

TSAI ET AL.

Examiner

Jermele M. Hollington

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 14 August 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-4,6-14,16,17 and 21-28 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-4,6-14,16,17 and 21-28 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_.

- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_.

## DETAILED ACTION

### *Allowable Subject Matter*

1. Applicant is advised that the Notice of Allowance mailed is vacated. If the issue fee has already been paid, applicant may request a refund or request that the fee be credited to a deposit account. However, applicant may wait until the application is either found allowable or held abandoned. If allowed, upon receipt of a new Notice of Allowance, applicant may request that the previously submitted issue fee be applied. If abandoned, applicant may request refund or credit to a specified Deposit Account.
2. Prosecution on the merits of this application is reopened on claims considered unpatentable for the reasons indicated below.

### *Claim Rejections - 35 USC § 102*

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claims 1-4, 6-11, 13-14, 16-17, 21-22, 24-26 and 28 are rejected under 35 U.S.C. 102(b) as being anticipated by Bodenweber et al (6281692).

Regarding claims 1, 6 and 11, Bodenweber et al disclose [see Figs. 1-2] a guide (interposer 12) for tip (pogo pin contactor 32 see col. 4, line 11 and col. 1, lines 35-36) to transmission path contact (input/output pin 34 see col. 4, line 6 and applicants' specification pg. 2, second paragraph) said guide (12) comprising at least one guide insulator (non-conductive body 16 see col. 3, line 51), at least one passageway (combination of passageways 20, 22 and 24

see col. 3, lines 52-61) defined by said at least one guide insulator (16), said at least one passageway (20 or 24) having a tip (32) passageway end (second surface 28 see col. 3, line 56) and a transmission path passageway end (first surface 26 see col. 3, lines 52-55); wherein said at least one passageway (20, 22 or 24) includes a contact enhancing mechanism (conductive element 30 see col. 3, line 58 and col. 4, lines 25-30); said tip passageway end (28) suitable for at least partially accommodating said tip (32) [via item 24 see col. 4, line 4]; said transmission path passageway end (26) suitable for at least partially accommodating a transmission path (34) [via passageway 22 see col. 4, line 6]; and said tip (32) contacting said transmission path (34) through said at least one passageway (20, 22 or 24) when said transmission path (34) is positioned in said transmission path passageway end (26) and said tip (32) is positioned within said tip passageway end (28) [see col. 4, lines 10-18].

Regarding claim 2, Bodenweber et al disclose said guide (16) facilitates relatively secure contact between said tip (32) and said transmission path (34).

Regarding claim 3, Bodenweber et al disclose said guide insulator (16) is removably interconnectable with a circuit board component (test bed 14) having at least one transmission path (34).

Regarding claim 4, Bodenweber et al disclose said tip (32) passageway end (28) guides said tip (32) towards said transmission path (34).

Regarding claim 7, Bodenweber et al disclose each said at least one guide insulator (16) is at least one divider guide insulator, each guide insulator (16) being thin so as to be positioned between close transmission paths.

Regarding claim 8, Bodenweber et al disclose said at least one guide insulator (16) further comprising a mounting apparatus (under item 16 see Fig. 2) and at least one divider guide insulator (16).

Regarding claim 9, Bodenweber et al disclose said at least one guide insulator (25) further comprising a mounting apparatus (under item 16 see Fig. 2) integral with at least one divider guide insulator (16).

Regarding claims 10 and 17, Bodenweber et al disclose at least two guide insulators (16 and item under 16 in Fig. 2 which makes up interposer 12), said at least two guide insulators being adjustable in relation to each other.

Regarding claim 13, Bodenweber et al disclose said transmission path passageway end (26) is directly opposite said tip (32) passageway end (28).

Regarding claim 14, Bodenweber et al disclose said tip (32) passageway end (28) has an opening on a peripheral guide surface of said guide insulator (16).

Regarding claim 16, Bodenweber et al disclose said contact enhancing mechanism (30) is selected from a group consisting of: (a) solid contact enhancing mechanism; (b) combination contact enhancing mechanism; and (c) soft contact enhancing mechanism.

Regarding claims 21 and 25, Bodenweber et al disclose said transmission path (34) is positioned in said transmission path passageway end (26) of said at least one guide insulator (16) before said tip (32) is positioned within said tip (32) passageway end (28) of said at least one guide insulator (16).

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Regarding claims 22 and 26, Bodenweber et al disclose said transmission path (34) is positioned in said transmission path passageway end (26) of said at least one guide insulator (16), said guide insulator (16) provides general protection properties.

Regarding claims 24 and 28, Bodenweber et al disclose said guide insulator (16) has two passageways (20 and 22).

***Claim Rejections - 35 USC § 103***

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 12, 23 and 27 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bodenweber et al (6281692).

Regarding claim 12, Bodenweber et al disclose said guide insulator (25) having tip passageways end (bottom end of 27). However, they do not disclose a funnel shaped opening or an enlarge, partial funnel shaped opening. It is well known to make the tip passageways end to any opening shape where needed (see MPEP 2144.04; In re Dailey, 357 F.2d 669, 149 USPQ 47 (CCPA 1966)). It would have been obvious to a person having ordinary skill in the art at the time the invention was made to make the tip passageways end to be funnel shape since the court held that the configuration of shapes was a matter of choice which a person of ordinary skill in the art would have found obvious absent persuasive evidence that the particular configuration of the claimed shape was significant.

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Regarding claims 23 and 27, Bodenweber et al disclose said guide insulator (25) having passageways for the transmission paths (43) of the device (BGA device 41) to be probed. However, they do not disclosed the insulator having fewer passageways that the transmission paths. It is well known to make less passageways for an insulator than transmission paths where needed (see MPEP 2144.04; In re Seid, 161 F.2d 229, 73 USPQ 431 (CCPA 1947)). It would have been obvious to a person having ordinary skill in the art at the time the invention was made to make fewer passageways for an insulator than transmission paths since it was held that matters relating to ornamentation only which have no mechanical function cannot be relied upon to patentably distinguish the claimed invention from the prior art.

### ***Conclusion***

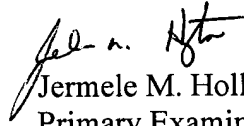
7. Applicant's arguments with respect to claims have been considered but are moot in view of the new ground(s) of rejection.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jermele M. Hollington whose telephone number is (571) 272-1960. The examiner can normally be reached on M-F (9:00-4:00 EST) First Friday Off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ha Nguyen can be reached on (571) 272-1678. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

  
Jermele M. Hollington  
Primary Examiner  
Art Unit 2829

JMH  
February 26, 2007